



**Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Mining Section
2700 Middlebrook Pike, Suite 220
Knoxville, Tennessee 37921-5602
PHONE (865) 594-6035 FAX (865) 594-6105**

Public Participation Opportunity

**June 10, 2004
Public Notice M2004-09
Public Notice Expiration July 14, 2004**

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

Individual NPDES Permits

Non-Coal Clarification of Permit Status

This NPDES permit was entered as a *proposed termination* on Public Notice M2004-08, dated May 27, 2004. The Division is canceling this public notice action because the facility remains active. NPDES permit authorization to discharge treated wastewater and storm water continues in affect. The operator's request for permit termination applied to another facility covered under the *Tennessee Multi-Sector General Storm Water Permit for Industrial Facilities (TMSP)*:

Applicant	Thurmond Farms
Facility	Site 1
NPDES Permit Number	TN0076384
County	Haywood
Street Address	2452 Stanley Road
City	Gates
Zip	38303
Description of Activity	Active sand and gravel mine
Receiving Stream	Unnamed tributary of Otter Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°45'45"
Facility Longitude	89° 25'56"
Permit Writer	JPJ

Public Notice M2004-09

June 10, 2004

Page 2 of 7

Non-Coal Proposed Reissuances

Applicant	M & M Gravel Company
Facility	Sulfur Creek Road Mine
NPDES Permit Number	TN0070947
County	Benton
Street Address	1125 Sulfur Creek Road
City	Big Sandy
Zip	38221
Description of Activity	Construction sand and gravel mining
Receiving Stream	Jones Branch
Effluent Description	Treated wastewater and storm water
Facility Latitude	36° 13' 09"
Facility Longitude	88° 04' 48"
Permit Writer	SJT
Applicant	Rutherford County Highway Department
Facility	Rutherford County Quarry
NPDES Permit Number	TN0059561
County	Rutherford
Street Address	Highway 231 South
City	Murfreesboro
Zip	37133
Description of Activity	Limestone quarry and processing facility
Receiving Stream	Karst topography, unnamed tributary of the West Fork Stones River
Effluent Description	Treated wastewater and storm water
Facility Latitude	35° 45' 45"
Facility Longitude	86° 24' 00"
Permit Writer	SJT
Applicant	Vulcan Construction Materials, LP
Facility	Georgetown Quarry
NPDES Permit Number	TN0065790
County	Meigs
Street Address	Highway 58 at intersection of Old Highway 58
City	Georgetown
Zip	37336
Description of Activity	Limestone mining and processing
Receiving Stream	Unnamed tributary of Gunstocker Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	35° 19' 45"
Facility Longitude	84° 56' 00"
Permit Writer	CTH

Non-Coal Proposed Terminations

Applicant	Duggin Construction Company, LLC
Facility	Chaney Road Site – Smyrna
NPDES Permit Number	TN0072711
County	Rutherford
Street Address	Chaney Road
City	Smyrna
Zip	37167
Description of Activity	Limestone rock quarry and processing facility
Receiving Stream	Unnamed tributary of Rock Spring Branch
Effluent Description	Treated wastewater and storm water
Facility Latitude	35° 37' 15"
Facility Longitude	87° 59' 00"
Permit Writer	JPJ

Public Notice M2004-09

June 10, 2004

Page 3 of 7

Applicant	Kentucky -Tennessee Clay Company
Facility	Mine 5 – Collier
NPDES Permit Number	TN0046221
County	Henry
Street Address	5 miles NW of Whitlock
City	Puryear
Zip	38251
Description of Activity	Reclaimed ball clay mine
Receiving Stream	Walnut Fork Creek
Effluent Description	Treated storm water runoff
Facility Latitude	36° 23' 36"
Facility Longitude	88° 26' 27"
Permit Writer	JPJ

Coal Proposed Issuance

Applicant	Kopper Glo Fuel, Inc.
Facility	Ben's Branch
NPDES Permit Number	TN0079286
County	Claiborne
Street Address	1197 Rock Creek Ridge Road
City	Clairfield
Zip	37715
Description of Activity	Underground coal mine
Receiving Stream	Tackett Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36° 30' 03"
Facility Longitude	83° 55' 04"
Permit Writer	JCP

Coal Proposed Transfers of Ownership

Applicant	National Coal Corporation
Facility	Tipple 2
NPDES Permit Number	TN0053848
Former Permittee	New River Processing, Inc., Tipple 2
County	Campbell
Street Address	Old State Highway 63
City	Caryville
Zip	37714
Description of Activity	Coal washer and tipple
Receiving Stream	Cove Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36° 22' 36"
Facility Longitude	84° 16' 30"
Permit Writer	MRR

Public Notice M2004-09

June 10, 2004

Page 4 of 7

Applicant **National Coal Corporation**
Facility **Deep Mine 4**
NPDES Permit Number **TN0066109**
Former Permittee U. S. Coal, Inc., Deep Mine 4
County Campbell
Street Address U. S. Coal Haulroad
City Smoky Junction
Zip 37756
Description of Activity Reclaimed underground coal mine
Receiving Stream Unnamed tributary of the East Prong of Nicks Creek
Effluent Description Treated wastewater and storm water
Facility Latitude 36° 17' 02"
Facility Longitude 84° 17' 43"
Permit Writer MRR

Applicant **National Coal Corporation**
Facility **Deep Mine 6**
NPDES Permit Number **TN0070891**
Former Permittee U. S. Coal, Inc., Deep Mine 6
County Campbell
Street Address U. S. Coal Haulroad
City Smoky Junction
Zip 37756
Description of Activity Underground coal mine
Receiving Stream Unnamed tributary of the West Prong of Nicks Creek
Effluent Description Treated wastewater and storm water
Facility Latitude 36° 17' 29"
Facility Longitude 84° 18' 46"
Permit Writer MRR

Applicant **National Coal Corporation**
Facility **Deep Mine 8**
NPDES Permit Number **TN0071803**
Former Permittee U. S. Coal, Inc., Deep Mine 8
County Scott
Street Address Smoky Creek
City Smoky Junction
Zip 37756
Description of Activity Underground coal mine
Receiving Stream Unnamed tributary of Smoky Creek
Effluent Description Treated wastewater and storm water
Facility Latitude 36° 12' 39"
Facility Longitude 84° 25' 02"
Permit Writer JCP

Applicant **National Coal Corporation**
Facility **Deep Mine 9**
NPDES Permit Number **TN0072729**
Former Permittee U. S. Coal, Inc., Deep Mine 9
County Scott
Street Address Smoky Creek
City Smoky Junction
Zip 37756
Description of Activity Underground coal mine
Receiving Stream Green Branch
Effluent Description Treated wastewater and storm water
Facility Latitude 36° 11' 27"
Facility Longitude 84° 24' 20"
Permit Writer JCP

Public Notice M2004-09

June 10, 2004

Page 5 of 7

Applicant	National Coal Corporation
Facility	Deep Mine 10
NPDES Permit Number	TN0076180
Former Permittee	U. S. Coal, Inc., Deep Mine 10
County	Campbell
Street Address	Adkins Branch
City	Caryville
Zip	37714
Description of Activity	Underground coal mine
Receiving Stream	Unnamed tributary of Adkins Branch
Effluent Description	Treated wastewater and storm water
Facility Latitude	36° 18' 40"
Facility Longitude	84° 15' 40"
Permit Writer	JCP
Applicant	National Coal Corporation
Facility	Jordan Ridge Refuse Area
NPDES Permit Number	TN0062961
Former Permittee	U. S. Coal, Inc., Jordan Refuse Area
County	Scott
Street Address	Smoky Junction Road
City	Smoky Junction
Zip	37756
Description of Activity	Coal refuse area
Receiving Stream	Cross Creek and unnamed tributary of New River
Effluent Description	Treated wastewater and storm water
Facility Latitude	36° 17' 06"
Facility Longitude	84° 20' 48"
Permit Writer	MRR
Applicant	National Coal Corporation
Facility	Washer/Tipple 1
NPDES Permit Number	TN0043800
Former Permittee	U. S. Coal, Inc., Washer/Tipple 1
County	Scott
Street Address	Smoky Junction Road
City	Smoky Junction
Zip	37756
Description of Activity	Coal washer and tipple
Receiving Stream	New River
Effluent Description	Treated wastewater and storm water
Facility Latitude	36° 17' 24"
Facility Longitude	84° 21' 54"
Permit Writer	MRR

Coal Proposed Termination

Applicant	Eastern Minerals International, Inc.
Facility	Mine 1
NPDES Permit Number	TN0045641
County	Sequatchie
Street Address	Cane Creek Road
City	Griffith
Zip	37367
Description of Activity	Inactive underground coal mine and refuse area
Receiving Stream	Cane Creek and unnamed tributary of Cane Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	35° 36' 36"
Facility Longitude	85° 19' 05"
Permit Writer	GWM

Public Notice M2004-09

June 10, 2004

Page 6 of 7

How to Comment:

TDEC is requesting public comment on this permit action. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on the proposed action are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax number (865) 594-6105, or by E-mail at Gary.Mullins@state.tn.us. Comments must be received by the end of comment period date (see page 1).

How to Request a Public Hearing:

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons for a hearing. When there is significant public interest for a hearing, a hearing will be conducted according to the Division of Water Pollution Control Rule 1200-4-1-.05(3)(g). Public hearings will be announced through another public notice.

How the Department Will Proceed:

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

To Obtain Permit Details:

Draft Permits contain Anti-degradation determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office at the letterhead address. These files are available for public inspection during normal visiting hours by contacting Kimberley.Reardon@state.tn.us or calling (865) 594-5619.

List of Permit Writers

CTH	Chris Hobgood	865-594-5545	Chris.Hobgood@state.tn.us
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GWM	Gary Mullins	865-594-5536	Gary.Mullins@state.tn.us
JCP	John Price	865-594-5585	John.Price@state.tn.us
MRR	Micheal Robbins	865-594-5542	Micheal.Robbins@state.tn.us
SJT	Steven Turaski	865-594-5584	Steven.Turaski@state.tn.us
DAT	Dave Turner	865-594-5541	Dave.Turner@state.tn.us

State of Tennessee Antidegradation Policy

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the antidegradation policy is to establish a greater level of protection for high quality waters. Some high-quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Public Notice M2004-09

June 10, 2004

Page 7 of 7

Generally, there are two types of high-quality waters. Outstanding National Resource Waters (ONRWs) or Tier 3 waters receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Tier 2 waters and protects against their degradation. The Water Quality Control Board may allow some degradation if the Board deems it economically and socially necessary. Tier 1 waters refer to other surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

State of Tennessee Policy of Non-Discrimination

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor L & C Tower, Nashville, TN 37243, 1-888-867-7455. ADA inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).